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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 16

Application Number: 09/495,105

Filing Date: 02/01/2000

Appellant(s): Graham B. McCloy and Ronald R. Raymo

MAILED

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GROUP 2800

Phillip R. Warn

For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed on 03/07/2002.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

Appellant's brief includes a statement that claims 25-34 and 41-59 do not stand or fall together and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

5,823,654	Pastrick et al	10-1998
5,669,704	Pastrick I	09-1997
5,497,306	Pastrick et al	03-1996
4,809,137	Yamada	02-1989

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 25-32, 34 and 41-59 are rejected under 35 U.S.C. 102(b) as being anticipated by Pastrick et al '654 (particularly figure 22). Pastrick et al discloses a mirror assembly for a vehicle comprising:

a mirror housing '26;

a reflective element 28;

a backing assembly (42, 43, see figure 8) supported by the mirror housing, the backing assembly supporting the reflective element;

a bezel 104 having a height for extending below the housing 26', formed as a separate element of and attached to a lower portion of the mirror housing 26', a portion of the bezel 104 including an opaque contoured surface portion extending from the lower portion of the mirror housing, the bezel having an opening 136 for projecting light through the lens 160;

a light module 151 disposed within the bezel, the light module 151 having a light source 152 for providing light to be projected through the lens 154; and

a lens 154 formed in the opening, the light projecting through the lens 154.

As to claim 26,

Pastrick et al '654 further discloses the mirror assembly of claim 25 wherein the bezel 104 is disposed generally beneath the backing assembly and the reflective element 28.

As to claim 27,

Pastrick et al '654 further discloses the mirror assembly of claim 25 wherein the opening in the bezel 104 projects rearwardly.

As to claim 28,

Pastrick et al '654 further discloses the mirror assembly of claim 25 wherein the light source 152 generates light to provide at least one of a turn signal light, an approach light, and a vehicle side marker light (can be used as all three, see columns 1-2 and entire specification).

As to claim 29,

Pastrick et al '654 further discloses the exterior rear view mirror assembly as set forth in claim 25 wherein the light source assembly 151 has a reflective inner surface (not explicitly shown in figure 22 but explicitly taught in Pastrick et al's disclosure, see figure 8, reflective element 62) being shaped to direct a maximum amount of light emitted from the light source 152 to the lens 154.

As to claim 30,

Pastrick et al '654 further discloses the mirror assembly of claim 25 wherein the lens 154 is operative to direct light through an arc extending at least 40 degrees (see column 11, lines 55-61, Pastrick et al teaches the angle to be up to 45 degrees) rearwardly from approximately a line passing through the mirror assembly and extending perpendicular to the longitudinal axis of the vehicle.

As to claim 31,

Pastrick et al discloses the mirror assembly of claim 25 wherein the light source is operable to provide a signal visible through the light transmitting lens 154 to a rearward motor vehicle when actuated.

As to claim 32,

Pastrick et al further discloses the mirror assembly of claim 25 further comprising a fastener (not shown but inherently light module 151 would be attached to the bezel 104 by some

attaching means) for attaching the light module 151 to the bezel 104.

The rejection of claims 33 and 34 are withdrawn.

As to claims 33 and 34,

Pastrick et al **does not** disclose:

The mirror assembly of claim 32 wherein the fastener comprises a threaded fastener; or

The mirror assembly of claim 32 wherein the fastener comprises a clip type fastener, the clip-type fastener engaging the bezel.

As to claim 41,

Pastrick et al '654 discloses an exterior rear view mirror assembly comprising:

a housing 26' adapted to be secured to an outer surface of a motor vehicle and

having a generally rearwardly facing opening;

a reflective mirror 28 disposed within the opening;

a bezel 104 formed of a separate element of and disposed in proximity to a portion of a lower transverse surface of the housing, the bezel 104 having a height for extending below said lower transverse surface and an opening for projecting light in a portion of said bezel formed a contoured surface from the lower portion of the mirror housing;

a light transmitting lens 154 formed in the bezel 104; and

a light source assembly 151 having a light source 152, the light source assembly 151 generating light projected through the opening 146 in the bezel 104, the light source assembly being operable to provide a light signal visible through the light transmitting lens 154.

As to claim 42,

Pastrick et al '654 further discloses the exterior rear view mirror assembly as set forth in claim 41 wherein the opening in the bezel 104 projects rearwardly.

As to claim 43,

Pastrick et al '654 further discloses the exterior rear view mirror assembly as set forth in claim 42 wherein the light source assembly 151 is removably secured to the bezel 104.

As to claim 44,

Pastrick et al '654 further discloses the exterior rear view mirror assembly as set forth in claim 41 wherein the light source 152 generates light to provide at least one of a turn signal light, a vehicle approach light, and a vehicle side marker light (see columns 1-2 and entire specification).

As to claim 45,

Pastrick et al '654 further discloses the exterior rear view mirror assembly as set forth in claim 41 wherein the light source 152 generates light to provide a vehicle approach light and wherein the lens of one of red, amber, and white (as taught in column 8, lines 29-56).

As to claim 46,

Pastrick et al '654 further discloses the exterior rear view mirror assembly as set forth in claim 41 wherein the light source 152 generates light to provide a vehicle side marker light and wherein the lens is one of red, amber, and white (as taught in column 8, lines 29-56).

As to claim 47,

Pastrick et al '654 further discloses the exterior rear view mirror assembly as set forth in claim 41 wherein the light source 152 generates light to provide a turn signal and wherein the lens is one of red, white, and amber (as taught in column 8, lines 29-56).

As to claim 48,

Pastrick et al '654 further discloses an exterior rear view mirror assembly as set forth in claim 41 wherein the light source assembly has a reflective inner surface(62), the inner surface being shaped to direct a maximum amount of light emitted from the light source to the lens.

As to claim 49,

Pastrick et al '654 further discloses an exterior rear view mirror assembly as set forth in claim 41 wherein the bezel 104 is separately formed from the housing 26, and wherein a fastener 142 attaches the bezel to the housing.

As to claim 50,

Pastrick et al '654 further discloses an exterior rear view mirror assembly as set forth in claim 41 wherein the lens 154 is operative to direct light through an arc extending at least 40 degrees rearwardly from approximately a line passing through the mirror assembly and extending perpendicularly to the longitudinal axis of the vehicle. (See column 11, lines 58-61).

As to claim 51,

Pastrick et al '654 further discloses the exterior rear view mirror assembly as set forth in claim 41 wherein the light source assembly includes an electrical connector (light sources 152 are attached to printed circuit board 150) for supporting the light source.

As to claim 52,

Pastrick et al '654 further discloses the exterior rear view mirror assembly as set forth in claim 42 wherein the bulb holder (light sources 152 are attached to the printed circuit board 150) is integrally formed with the light source assembly 151.

As to claim 53,

Pastrick et al '654 further discloses exterior rear view mirror assembly as set forth in claim 41 wherein the light source assembly 151 is operable to provide a signal visible through the light transmitting lens 154 to a rearward motor vehicle when actuated.

As to claim 54,

Pastrick et al '654 discloses a mirror assembly for a vehicle comprising:
a mirror housing 26'; a reflective element 28; a backing assembly (42 and 43) supported by the mirror housing, the backing assembly supporting the reflective element 28.
a bezel 104 having a height for extending below the housing 26, formed as a separate element of and attached to a lower portion of the mirror housing 26, a portion of the bezel 104 including an opaque portion being contoured for forming a lower contoured portion of the mirror contoured surface portion extending from the lower portion of the mirror housing, the bezel also including a cavity therein for receiving a light source 152 and a lens 154 over the cavity for allowing light through; and a light module 151 disposed within the cavity, the light module having a light source 152 for providing light to be projected through the lens for repeating of a turn signal or a stop light signal of the vehicle.

As to claim 55,

Pastrick et al '654 discloses a mirror assembly for a vehicle comprising:
a mirror housing 26';
a reflective element 28;
a backing assembly (42 and 43) supported by the mirror housing, the backing assembly (42 and 43) supporting the reflective element 28;
an independent light emitting portion (104) having a height for extending below the housing and contoured for formed a contoured lower surface abutting to and continuing the contour

of the housing, formed as a separate element of and attached to a lower portion of the mirror housing, a portion of the bezel 104 including an opaque portion thereof for preventing light from passing therethrough and a lens portion for allowing light to project through the lens; and light module 150 disposed within the bezel 104, the light module 151 having a light source 152 for providing light to be projected through the lens portion for signaling of a turn signal or stoplight or puddle lamp function of a vehicle.

As to claim 56,

Pastrick et al '654 discloses an exterior rear view mirror assembly comprising: a housing 26' adapted to be secured to an outer surface of a motor vehicle and having a generally rearwardly facing opening, a contoured back surface and a bottom portion; a reflective mirror 28 disposed within the opening;

a separately formed signal attachment 104 disposed in proximity to a said bottom portion of the housing, the signal element attachment 104 having a height for extending below said bottom portion and an opening for projecting light in a portion of said attachment forming a contoured surface immediately adjacent and continuing the contoured surface of said contoured back surface of said housing; a light transmitting lens 154 formed in the said attachment; and

a light source assembly 151 having a light source 152 , the light source assembly generating light projected through the opening in the bezel 104, the light source assembly being operable to provide a light signal visible through the light transmitting lens 154.

As to claim 57,

Pastrick et al '654 discloses a mirror assembly for a vehicle comprising:

a mirror housing 26';

a reflective element 28;

a backing assembly supported by the mirror housing 26', the backing assembly supporting the reflective element 28, said mirror housing 26' including a downwardly extending having a contoured surface and a lower peripheral edge;

a signal attachment member 104 formed independently of the mirror housing and defining a contoured portion of a lower surface of the mirror housing 26', the signal attachment member 104 having a height for extending below the downwardly extending peripheral wall, said signal attachment member including an upwardly extending contoured surface portion for mating with the downwardly extending wall of said mirror housing said signal attachment member including a lens portion signal attachment member being attached to said housing and forming a contour following surface from the lower peripheral edge; and

a light module disposed within the signal attachment member, the light module having a light source, wherein from the source light projects from the lens.

As to claim 58,

Pastrick et al '654 discloses a mirror assembly for a vehicle comprising:

a mirror housing 26 including an inner wall portion, an outer wall portion and a lower wall portion extending between said inner and outer wall portions;

a reflective element 28;

a backing assembly (42 and 43) supported by the mirror housing, the backing assembly (42 and 43) supporting the reflective element 28;

a detachable bezel formed separately from the housing, said bezel attached to and extending below said lower wall portion, said bezel including a planar longitudinal surface extending between a front surface and a rear surface of said bezel wherein said front surface of said bezel is positioned adjacent said outer wall portion of the housing, said bezel extending inward such that said rear surface of the bezel is proximate a breakaway feature of the mirror assembly, said bezel further including a lens; and

a light source emitting light within said bezel, said light projecting through said lens.

As to claim 59,

Pastrick et al '654 further discloses a mirror assembly for a vehicle comprising:

a mirror housing 26';

a reflective element 28;

a backing assembly (42 and 43) supported by the mirror housing, the backing assembly supporting the reflective element 28;

said mirror housing 26' including a downwardly extending peripheral wall;

a bezel 104 formed independently of the mirror housing and defining a portion of a lower traverse surface of the mirror housing and defining a portion of a lower

transverse surface of the mirror housing 26, the bezel 104 having a height for extending below the downwardly extending peripheral wall, said bezel including an upwardly extending wall portion for mating with the downwardly extending wall of said mirror housing and having an opening 146 for projecting light;

said bezel 104 attached to said housing 26';

a light module 151 disposed within the bezel 104, the light module 151 having a light source 152,

wherein light from the source 152 light source projects through the opening; and a lens 154 formed in the opening, the light projecting through the lens.

Allowable Subject Matter

Claims 33 and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record alone or in combination doesn't teach or fairly suggest attaching the light module 151 of Patrick et al '654 with a threaded or clip-type fastener. In fact, the prior art of Pastrick et al is silent as to how the entire light module is attached to the bezel portion 104.

(11) Response to Argument

In order to simplify the record and eliminate rejections that are cumulative, the examiner has removed the prior art rejections in view of Yamada, Pastrick '704 and Pastrick et al '659.

The removal of these rejections is in no way an admission by the examiner that the references do not anticipate the claims rather it is just a courtesy to the board to simplify the record.

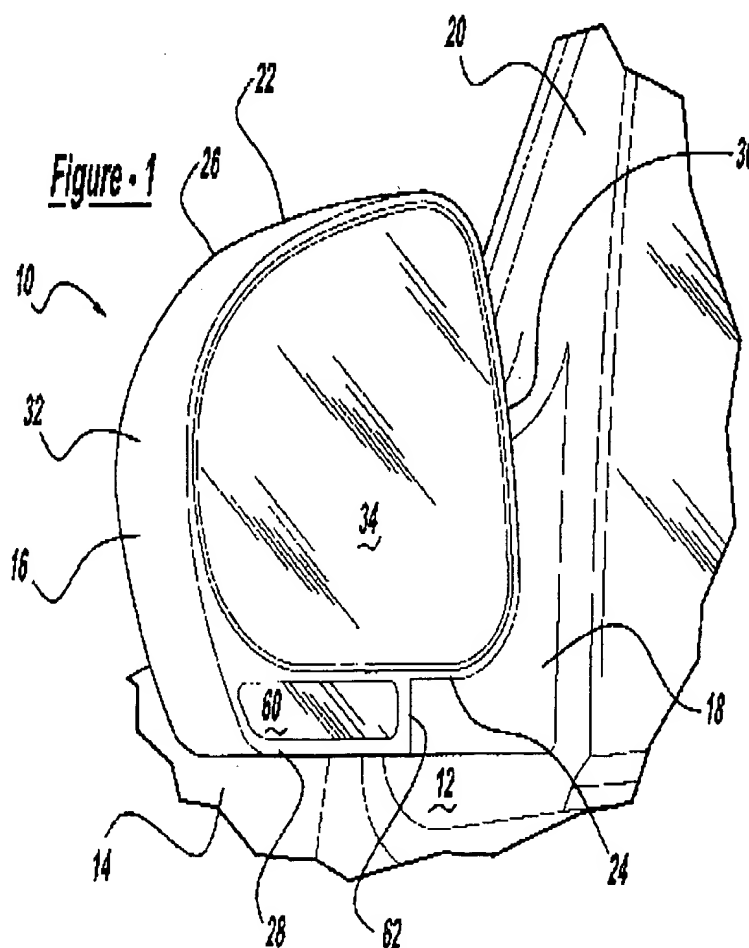
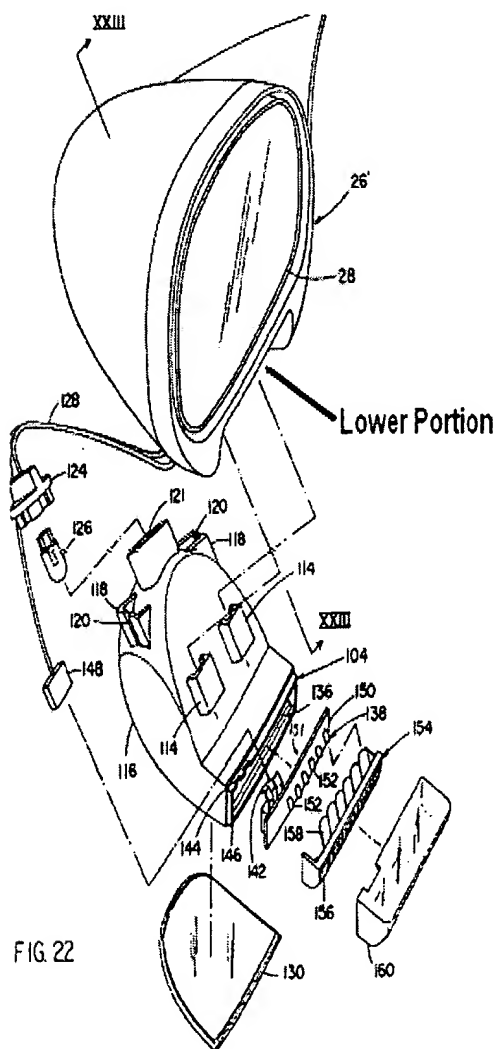
The Applicants respectfully traverse the 35 U.S.C. 102(b) rejection of claims 25-32, 34, and 41-59 in view of U.S. Patent No. 5,823,654 to Pastrick et al. Regarding claim 25, the applicants argue that U.S. Patent No. 5,823,654 fails to disclose a bezel portion separately formed which extends below a lower peripheral portion (**not claimed**) of the mirror housing and/or follows the contour of the mirror housing (**not claimed**).

Even though these limitations are taught by Patrick '654, the argument is moot because these limitations are not even claimed in claim 25. Applicants are reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The applicant further argues that U.S. Patent No. 5,823,654 to Pastrick et al does not disclose a bezel portion having a height which extends below the lower portion of the mirror and forms a contour of the mirror which includes a portion which is at least partially opaque and non-light transmitting. The examiner disagrees, U.S. Patent No. 5,823,654 to Pastrick et al discloses "a bezel portion 104 having a height which extends below the lower portion of the mirror 26' and forms a contour of the mirror which includes a portion which is at least partially opaque and non-light transmitting."

Applicant's main argument seems to be that the bezel taught by U.S. Patent No. 5,823,654 to Pastrick et al is disposed within the mirror housing itself and doesn't extend below the "lowermost surface" (**not claimed**) of the mirror housing, nor do they "form a contoured surface of the mirror

housing” (**not claimed**). Applicants are again reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). As broadly claimed, the bezel portion 104 of U.S. Patent No. 5,823,654 to Pastrick et al extends below the housing 26' and is formed as a separate element of and attached to a **lower portion** of the mirror housing. In fact as shown by the drawings below, the invention of U.S. Patent No. 5,823,654 to Pastrick et al is identical to applicant's invention. As shown in figure 1 of applicant's invention, the applicant explicitly teaches that the bezel portion 28 extends below lower wall portion 24. This is exactly what U.S. Patent No. 5,823,654 to Pastrick et al teaches. The bezel portion 104 extends downwardly from a lower portion of the mirror assembly 26' as labeled by examiner. As shown below, Pastrick et al figure 22 and applicant's figure 1 are nearly identical. Both show a bezel portion which extends below a lower portion of a mirror housing.



Applicant further argues that U.S. Patent No. 5,823,654 to Pastrick et al doesn't anticipate the following claims:

Claim 26: Applicant argues that Pastrick et al '654 doesn't disclose the bezel being disposed generally beneath the backing assembly and the reflective element. The examiner disagrees. U.S. Patent No. 5,823,654 to Pastrick et al teaches that the bezel 104 is disposed generally beneath the backing assembly and the reflective element 28.

Claim 27: Applicant argues that Pastrick et al '654 doesn't disclose the opening in the bezel projects rearwardly. The examiner disagrees. Pastrick et al '654 teaches that the bezel 104 extends rearwardly (see figure 22).

Claim 28: Applicant argues that Pastrick et al '654 doesn't disclose that the light source generates light to provide at least one of a turn signal light, an approach light, and a vehicle side marker light. The examiner disagrees. Patrick's et al specifically teaches this at columns 1-2 and the rest of the specification).

Claim 29: Applicant argues that Pastrick et al '654 doesn't disclose the light source assembly has a reflective inner surface, the inner surface being shaped to direct a maximum amount of light emitted from the light source to the lens. The examiner disagrees. Pastrick et al '654 teaches the light source assembly has a reflective inner surface (see figure 8, reflective element 62 can be positioned behind the any signal light to project light forwardly), the inner surface being shaped to direct a maximum amount of light emitted from the light source to the lens 154.

Claim 30: Applicant argues that Pastrick et al '654 doesn't disclose that the lens is operative to direct light through an arc extending at least 40 degrees downwardly from approximately a line passing through the mirror assembly and extending perpendicular to the longitudinal axis of the

vehicle. The examiner disagrees: Pastrick et al '654 discloses that the lens 154 is operative to direct light through an arc extending at least 40 degrees rearwardly from approximately a line passing through the mirror assembly and extending perpendicular to the longitudinal axis of the vehicle (see column 11, lines 55-61).

Claim 31: Applicant argues that Pastrick et al '654 doesn't disclose that the light source is operable to provide a signal visible through the light transmitting lens to a rearward motor vehicle when actuated. The examiner disagrees. Pastrick et al '654 discloses that the light source is operable to provide a signal visible through the light transmitting lens to a rearward motor vehicle when actuated. The examiner disagrees.

Claim 32: Applicant argues that Pastrick et al '654 doesn't disclose that the mirror assembly further comprises a fastener for attaching the light module to the bezel. The examiner disagrees. Pastrick et al '654 discloses that the mirror assembly further comprises a fastener (inherently the light module 151 is attached to the bezel portion 104 by some type of fastening means) for attaching the light module to the bezel 104.

Claim 33: The examiner agrees with applicant that claim 33 is not taught or suggested by the prior art. Particularly, claim 33 discloses claim 25 further including a **threaded** fastener for attaching the light module to the bezel.

Claim 34: The examiner agrees with applicant that claim 34 is not taught or suggested by the prior art. Particularly, claim 34 discloses claim 25 further including a “a clip-type fastener for attaching the light module to the bezel.”

Claim 41: Applicant argues that Pastrick et al ‘654 doesn’t disclose “a bezel formed of a separate element of and disposed in proximity to a portion of a lower transverse surface of the housing, the bezel having a height for extending below said lower transverse surface and an opening for projecting light in a portion of said bezel formed a contoured surface from the lower portion of the mirror housing. The examiner disagrees. Pastrick et al ‘654 does disclose a bezel portion 104 separately formed which extends below a lower peripheral portion of the mirror housing and/or follows the contour of the mirror housing ‘26 and the bezel portion 104 having a height which extends below the lower portion of the mirror and forms a contour of the mirror which includes a portion which is at least partially opaque and non-light transmitting. Applicant’s main argument seems to be that the bezel 104 taught by U.S. Patent No. 5,823,654 to Pastrick et al is disposed within the mirror housing itself and do extend below the “lowermost surface” (**not claimed**) of the mirror housing, nor do they “form a contoured surface of the mirror housing”(**not claimed**). Applicants are again reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). As broadly claimed, the bezel portion of U.S. Patent No. 5,823,654 to Pastrick et al extends below the housing and is formed as a separate element of and attached to a **lower portion** of the mirror housing. In fact as shown by the drawings above, the invention of U.S. Patent No. 5,823,654 to Pastrick et al is identical to applicant’s invention. As shown in figure 1, of applicant’s invention, the applicant

explicitly teaches that the bezel portion 28 extends below lower wall portion 24. This is exactly what U.S. Patent No. 5,823,654 to Pastrick et al teaches as shown by figure 22 above.

Claim 42: Applicant argues that Pastrick et al '654 doesn't disclose "that the opening in the bezel projects rearwardly." The examiner disagrees. Pastrick et al '654 discloses that the opening 104 in the bezel projects rearwardly (see figure 22).

Claim 43: Applicant argues that Pastrick et al '654 doesn't disclose that "the light source assembly is removably secured to the bezel." The examiner disagrees. Pastrick et al '654 discloses that "the light source assembly is removably secured to the bezel."

Claim 44: Applicant argues that Pastrick et al '654 doesn't disclose "that the light source generates light to provide at least one of a turn signal light, a vehicle approach light, and a vehicle side marker light." The examiner disagrees. Pastrick's et al specifically teaches this at columns 1-2 and the rest of the specification).

Claim 45: Applicant argues that Pastrick et al '654 doesn't disclose that the light source generates light to provide a vehicle approach light and wherein the lens of one of red, amber, and white. The examiner disagrees. Pastrick et al '654 discloses that the light source generates light to provide a vehicle approach light and wherein the lens of one of red, amber, and white. (See column 8, lines 29-56).

Claim 46: Applicant argues that Pastrick et al '654 doesn't disclose "that the light source generates light to provide a vehicle side marker light and wherein the lens is one of red, amber, and

white.” The examiner disagrees. Pastrick et al ‘654 discloses “that the light source generates light to provide a vehicle side marker light and wherein the lens is one of red, amber, and white.” (See column 8, lines 29-56).

Claim 47: Applicant argues that Pastrick et al ‘654 doesn’t disclose that “the light source generates light to provide a turn signal and wherein the lens is one of red, white, and amber. The examiner disagrees. Pastrick et al ‘654 discloses that “the light source generates light to provide a turn signal and wherein the lens is one of red, white, and amber.

Claim 48: Applicant argues that Pastrick et al ‘654 doesn’t disclose that “the light source assembly has a reflective inner surface, the inner surface being shaped to direct a maximum amount of light emitted from the light source to the lens.” The examiner disagrees. Pastrick et al ‘654 discloses that “the light source assembly has a reflective inner surface (62), the inner surface being shaped to direct a maximum amount of light emitted from the light source to the lens.”

Claim 49: Applicant argues that Pastrick et al ‘654 doesn’t disclose that “the bezel is separately formed from the housing, and wherein a fastener attaches the bezel to the housing. The examiner disagrees. Pastrick et al ‘654 discloses that “the bezel 104 is separately formed from the housing, and wherein a fastener (118 and 120) attaches the bezel 104 to the housing 26’.

Claim 50: Applicant argues that Pastrick et al ‘654 doesn’t disclose “that the lens is operative to direct light through an arc extending at least 40 degrees rearwardly from approximately a line passing through the mirror assembly and extending perpendicularly to the longitudinal axis of the vehicle. The examiner disagrees. Pastrick et al ‘654 discloses “that the lens is operative to direct light

through an arc extending at least 40 degrees rearwardly from approximately a line passing through the mirror assembly and extending perpendicularly to the longitudinal axis of the vehicle (See column 11, lines 58-61).

Claim 51: Applicant argues that Pastrick et al '654 doesn't disclose that "the light source assembly includes an electrical connector for supporting the light source" The examiner disagrees. Pastrick et al '654 discloses that "the light source assembly includes an electrical connector (the light sources 152 are supported on circuit board 150) for supporting the light source 152."

Claim 52: Applicant argues that Pastrick et al '654 doesn't disclose "that the bulb holder is integrally formed with the light source assembly. The examiner disagrees. Pastrick et al '654 discloses "that the bulb holder (light sources 152 are attached to the printed circuit board 150) is integrally formed with the light source assembly."

Claim 53: Applicant argues that Pastrick et al '654 doesn't disclose "that the light source assembly is operable to provide a signal visible through the light transmitting lens to a rearward motor vehicle when actuated. Pastrick et al '654 discloses that the light source assembly 151 is operable to provide a signal visible through the light transmitting lens 154 to a rearward motor vehicle when actuated. (This is covered throughout the entire specification).

Claim 54: Applicant argues that Pastrick et al '654 doesn't discloses "a bezel portion separately formed which extends below a lower peripheral portion (**not claimed**) of the mirror housing and/or follows the contour of the mirror housing. The examiner disagrees. The bezel portion 104' of

Pastrick et al '654 follows the contour of the mirror housing 26'. Applicant further argues that Patrick et al '654 does not disclose a bezel portion having a height which extends below the lower portion of the mirror and forms a contour of the mirror which includes a portion which is at least partially opaque and non-light transmitting. The examiner disagrees. Pastrick et al '654 discloses "a bezel portion 104 having a height which extends below the lower portion of the mirror 26' and forms a contour of the mirror which includes a portion which is at least partially opaque and non-light transmitting."

Applicant's main argument seems to be that the bezel taught by U.S. Patent No. 5,823,654 to Pastrick et al is disposed within the mirror housing itself and doesn't extend below the "lowermost surface" (**not claimed**) of the mirror housing, nor do they "form a contoured surface of the mirror housing." Applicants are again reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim 55: Applicant argues that Pastrick et al '654 doesn't disclose "a bezel portion separately formed which extends below a lower peripheral portion (**not claimed**) of the mirror housing and/or follows the contour of the mirror housing. The examiner disagrees. The bezel portion 104' of Pastrick et al '654 follows the contour of the mirror housing 26'. Applicant further argues that Patrick et al '654 does not disclose a bezel portion having a height which extends below the lower portion of the mirror and forms a contour of the mirror which includes a portion which is at least partially opaque and non-light transmitting. The examiner disagrees. Pastrick et al '654 discloses "a bezel portion 104 having a height which extends below the lower portion of the mirror 26' and forms a contour of the mirror which includes a portion which is at least partially opaque and non-light transmitting."

Applicant's main argument seems to be that the bezel taught by U.S. Patent No. 5,823,654 to Pastrick et al is disposed within the mirror housing itself and doesn't extend below the "lowermost surface" (**not claimed**) of the mirror housing, nor do they "form a contoured surface of the mirror housing." Applicants are again reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim 56: Applicant argues that Pastrick et al '654 doesn't disclose "a bezel portion separately formed which extends below a lower peripheral portion (**not claimed**) of the mirror housing and/or follows the contour of the mirror housing. The examiner disagrees. The bezel portion 104' of Pastrick et al '654 follows the contour of the mirror housing 26'. Applicant further argues that Pastrick et al '654 does not disclose a bezel portion having a height which extends below the lower portion of the mirror and forms a contour of the mirror which includes a portion which is at least partially opaque and non-light transmitting. The examiner disagrees. Pastrick et al '654 discloses "a bezel portion 104 having a height which extends below the lower portion of the mirror 26' and forms a contour of the mirror which includes a portion which is at least partially opaque and non-light transmitting."

Applicant's main argument seems to be that the bezel taught by U.S. Patent No. 5,823,654 to Pastrick et al is disposed within the mirror housing itself and doesn't extend below the "lowermost surface" (**not claimed**) of the mirror housing, nor do they "form a contoured surface of the mirror housing." Applicants are again reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim 57: Applicant argues that Pastrick et al '654 doesn't disclose "a bezel portion separately formed which extends below a lower peripheral portion of the mirror housing and/or follows the contour of the mirror housing. The examiner disagrees. Pastrick et al '654 discloses a bezel portion 104 separately formed which extends below a lower peripheral portion of the mirror housing 26' and/or follows the contour of the mirror housing 26'. Applicant further argues that Pastrick et al '654 does not disclose a bezel portion having a height which extends below the lower portion of the mirror and forms a contour of the mirror which includes a portion which is at least partially opaque and non-light transmitting. The examiner disagrees. Pastrick et al '654 discloses "a bezel portion 10 having a height which extends below the lower portion of the mirror '26 and forms a contour of the mirror 26' which includes a portion which is at least partially opaque and non-light transmitting."

Applicant's main argument seems to be that the bezel taught by U.S. Patent No. 5,823,654 to Pastrick et al is disposed within the mirror housing itself and doesn't extend below the "lowermost surface" (**not claimed**) of the mirror housing, nor do they "form a contoured surface of the mirror housing." Applicants are again reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim 58: Applicant argues that Pastrick et al '654 doesn't disclose "a bezel portion separately formed which extends below a lower peripheral portion (**not claimed**) of the mirror housing and/or follows the contour of the mirror housing (**not claimed**). The examiner disagrees. Nonetheless, the bezel portion 104' of Pastrick et al '654 is separately formed and extends below a lower peripheral portion of the mirror housing and follows the contour of the mirror housing 26'.

Applicant further argues that Patrick et al '654 does not disclose a bezel portion having a height which extends below the lower portion of the mirror and forms a contour of the mirror which includes a portion which is at least partially opaque and non-light transmitting. The examiner disagrees. Pastrick et al '654 discloses "a bezel portion 104 having a height which extends below the lower portion of the mirror 26' and forms a contour of the mirror which includes a portion which is at least partially opaque and non-light transmitting."

Applicant's main argument seems to be that the bezel taught by U.S. Patent No. 5,823,654 to Pastrick et al is disposed within the mirror housing itself and doesn't extend below the "lowermost surface" (**not claimed**) of the mirror housing, nor do they "form a contoured surface of the mirror housing (**not claimed**)."

Applicants are again reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim 59: Applicant argues that Pastrick et al '654 doesn't disclose "a bezel portion separately formed which extends below a lower peripheral portion of the mirror housing and/or follows the contour of the mirror housing. The examiner disagrees. Pastrick et al '654 discloses a bezel portion 104 separately formed which extends below a lower peripheral portion of the mirror housing 26' and/or follows the contour of the mirror housing 26'. Applicant further argues that Patrick et al '654 does not disclose a bezel portion having a height which extends below the lower portion of the mirror and forms a contour of the mirror which includes a portion which is at least partially opaque and non-light transmitting. The examiner disagrees. Pastrick et al '654 discloses "a bezel portion 10 having a height which extends below the lower portion of the mirror '26 and

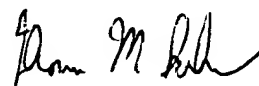
forms a contour of the mirror 26' which includes a portion which is at least partially opaque and non-light transmitting."

Applicant's main argument seems to be that the bezel taught by U.S. Patent No. 5,823,654 to Pastrick et al is disposed within the mirror housing itself and doesn't extend below the "lowermost surface" (**not claimed**) of the mirror housing, nor do they "form a contoured surface of the mirror housing." Applicants are again reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

On page 21 of the appeal brief, the applicant further argues that none of the references alone or in combination are obvious in view of applicant's claimed invention. This argument will not be addressed because the examiner never made such a rejection under 35 U.S.C. 103.

For the above reasons, it is believed that the rejections should be sustained.

Respectively submitted,



Thomas M. Sember

May 20, 2002

Sandra O'Shea



Arthur Grimley 99

Conferees